

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

K.MIZRA LLC,

Plaintiff,

v.

HEWLETT PACKARD ENTERPRISE
COMPANY and ARUBA NETWORKS,
LLC,

Defendants.

Civil Action No. 2:21-cv-305-JRG

JURY TRIAL DEMANDED

JOINT MOTION TO STAY ALL DEADLINES AND NOTICE OF SETTLEMENT

Plaintiff K.Mizra LLC (“K.Mizra”) and Defendants Hewlett Packard Enterprise Company and Aruba Networks, LLC (“Defendants”) (collectively, “the Parties”) file this Joint Motion to Stay All Deadlines and Notice of Settlement to notify the Court that all matters in controversy between the Parties have been settled in principle. As such, the Parties respectfully request that the upcoming August 16, 2024 trial be vacated and all remaining case deadlines stayed for thirty (30) days while the Parties finalize a settlement agreement and file dismissal papers with the Court. It is in the interest of judicial economy to grant this Joint Motion.

For the foregoing reason and good cause shown, the Parties respectfully request the Court enter an order vacating the August 16, 2024 trial and staying all remaining case deadlines for thirty (30) days.

Dated: August 6, 2024

Respectfully submitted,

By: /s/ Scott R. Bialecki

Robert R. Brunelli (Lead Counsel)
CO State Bar No. 20070
rbrunelli@sheridanross.com
Scott R. Bialecki*
CO State Bar No. 23103
sbialecki@sheridanross.com
Paul Sung Cha*
CO State Bar No. 34811
pscha@sheridanross.com
Bart A. Starr
CO State Bar No. 50446
bstarr@sheridanross.com
Brian S. Boerman
CO State No. 50834
bboerman@sheridanross.com
Briana D. Long*
CO State Bar No. 57914
blong@sheridanross.com
Angela J. Bubis*
CO State Bar No. 58144
abubis@sheridanross.com
SHERIDAN ROSS P.C.
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
Tel: (303) 863-9700
E-mail: litigation@sheridanross.com

Michael C. Smith
Texas Bar No. 18650410
Scheef & Stone, LLP
113 East Austin Street
Marshall, TX 75670
Tel: (903) 938-8900
Michael.Smith@solidcounsel.com

Of Counsel:

Claire Abernathy Henry
Texas Bar No. 24053063
Andrea Leigh Fair
Texas Bar No. 24078488
Charles Everingham IV
Texas Bar No. 00787447
Garrett C. Parish

/s/ Joshua R. Thane

Jennifer H. Doan
Texas Bar No. 08809050
Joshua R. Thane
Texas Bar No. 24060713
HALTOM & DOAN
6500 Summerhill Road, Suite 100
Texarkana, TX 75503
Telephone: (903) 255-1000
jdoan@haltomdoan.com
jthane@haltomdoan.com

Manish K. Mehta (*pro hac vice*)
Kal K. Shah
Cristina Q. Almendarez
Kate Watson Moss (*pro hac vice*)
Louis Constantinou (*pro hac vice*)
BENESCH FRIEDLANDER COPLAN
& ARONOFF LLP
71 South Wacker Drive, Suite 1600
Chicago, IL 60606-4637
Telephone: (312) 212-4949
mmehta@beneschlaw.com
kshah@beneschlaw.com
calmendarez@beneschlaw.com
kwatsonmoss@beneschlaw.com
lconstantinou@beneschlaw.com

Michael S. Weinstein (*pro hac vice*)
BENESCH FRIEDLANDER COPLAN
& ARONOFF LLP
127 Public Square, Suite 4900
Cleveland, OH 44114
Telephone: (216) 363-4500
mweinstein@beneschlaw.com

Ziyong Sean Li
BENESCH FRIEDLANDER COPLAN
& ARONOFF LLP
100 Pine Street, Suite 3100
San Francisco, CA 94111
Telephone: (628) 600-2250
sli@beneschlaw.com

Texas Bar No. 24125824
Ward, Smith & Hill, PLLC
1507 Bill Owens Parkway
Longview, TX 75604
903-757-6400
Email: claire@wsfirm.com
Email: andrea@wsfirm.com
Email: ce@wsfirm.com
Email: gparish@wsfirm.com

**Admitted pro hac vice
Attorneys for Plaintiff K.Mizra LLC*

Sean C. Cunningham (*pro hac vice*)
Erin P. Gibson (*pro hac vice*)
Pete Maggiore (*pro hac vice*)
DLA PIPER LLP (US)
4365 Executive Drive, Suite 1100
San Diego, California 92121-2133
Telephone: (858) 677-1400
Sean.Cunningham@us.dlapiper.com
Erin.Gibson@us.dlapiper.com
Peter.maggiore@us.dlapiper.com

Brent K. Yamashita
Mary C. Dahl (*pro hac vice*)
DLA PIPER LLP (US)
3203 Hanover Street, Suite 100
Palo Alto, CA 94304
Telephone: (650) 833-2000
Brent.Yamashita@us.dlapiper.com
mary.dahl@us.dlapiper.com

Helena D. Kiepura (*pro hac vice*)
Ankur Desai
DLA PIPER LLP (US)
500 Eighth Street, NW
Washington, DC 20004
Telephone: (202) 799-4000
Facsimile: (202) 799-5000
helena.kiepura@us.dlapiper.com
ankur.desai@us.dlapiper.com

Tessa Duxbury (*pro hac vice*)
DLA PIPER LLP (US)
2000 Avenue of the Stars,
Ste. 400, N. Tower
Los Angeles, CA 90067
Telephone: (310) 595-3487
Facsimile: (310) 595-3487
tessa.duxbury@us.dlapiper.com

*Attorneys for Defendants
Hewlett Packard Enterprise Company
and Aruba Networks, LLC*

CERTIFICATE OF SERVICE

The undersigned certifies that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system pursuant to Local Rule CV-5(a)(3) on August 6, 2024.

/s/ Joshua R. Thane

Joshua R. Thane

CERTIFICATE OF CONFERENCE

Pursuant to Local Rule CV-7(h), the undersigned certifies counsel complied with the meet and confer requirement. On August 6, 2024, counsel for Defendants conferred with counsel for Plaintiff. The Parties jointly submit the relief requested.

/s/ Joshua R. Thane

Joshua R. Thane